

WESLEY T. GREEN SBN #201107
CORPORATE COUNSEL
P.O. Box 1350
9500 S. DeWolf Ave.
Selma, California 93662
Telephone: (559) 834-6677
Facsimile: (559) 834-4848
wgreen@lionraisins.com

Attorney for Plaintiff, LION RAISINS, INC.,
a California corporation

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION

LION RAISINS, INC.,

Plaintiff,

vs.

UNITED STATES DEPARTMENT OF
AGRICULTURE,

Defendant.

Case No.: 1:08-CV-00358-OWW-SMS

**STIPULATION AND ORDER TO FURTHER
REVISE SUMMARY JUDGMENT MOTION
SCHEDULE**

By Stipulation and Order to Revise Summary Judgment Motion Schedule entered by this Court on March 13, 2009 (Doc. 40), the Court revised the briefing schedule and hearing date for motions for summary judgment. Plaintiff's counsel, Wesley T. Green, requested this extension due to an illness that began on March 7, 2009. Mr. Green's physician excused him from work starting March 9, 2009 through March 30, 2009, which was extended by his physician until April 18, 2009. As such, Plaintiff's counsel has requested, and Defendant's counsel has agreed, to revise the Summary Judgment Motion Schedule.

The parties, by and through their respective counsel, hereby stipulate to revise the Summary Judgment Motion Schedule. Based on the stipulation of the parties, and for good cause shown, the parties request that the Court adjust the summary judgment schedules as follows:

| <u>EVENT</u> | <u>CURRENT DATE</u> | <u>PROPOSED DATE</u> |
|-------------------------------------|---------------------|----------------------|
| Motions to be filed by either party | April 13, 2009 | May 4, 2009 |
| Oppositions to be filed | April 27, 2009 | May 18, 2009 |
| Replies to be filed | May 4, 2009 | May 26, 2009 |
| Hearing (12:00 p.m.) | May 11, 2009 | June 3, 2009 |

Dated: April 10, 2009

Respectfully submitted,
LION RAISINS, INC.

By: /s/ Wesley T. Green
WESLEY T. GREEN
Corporate Counsel
Attorney for Plaintiff

Dated: April 10, 2009

LAWRENCE G. BROWN
Acting United States Attorney
[As authorized on 4/10/09]

By: /s/ Benjamin E. Hall
BENJAMIN E. HALL
Assistant U.S. Attorney
Attorneys for Defendant

ORDER

IT IS SO ORDERED.

Dated: April 13, 2009

/s/ OLIVER W. WANGER
UNITED STATES DISTRICT JUDGE